



Minutes Nevada Homeland Security Commission Legislative and By-Laws Committee

ATTENDANCE

DATE	11 August, 2005
TIME	9:00 AM – 10:00 AM
LOCATION	401 S Carson St – Carson City 555 W Washington – Las Vegas
METHOD	Teleconference between sites
RECORDER	Denise Parsons

Committee Members	Present	Staff & Others in Attendance	Present
James Spinello, Chariman	X	Glade Myler, Attorney General's Office	X
Robert Hadfield	X	Valerie Sumner, Homeland Security Administrators Office	X
Dale Carrison	X	Larry Casey, Homeland Security Commission Staff	X
Senator Dennis Nolan		Denise Parsons, Homeland Security Commission Staff	x
Jim O'Brien			

1. CALL TO ORDER AND ROLL CALL

At 9:00 am Chairman Jim Spinello called the meeting to order. Larry Casey called the roll. 3 members were present, 2 were absent so a quorum was established.

2. APPROVAL OF MINUTES

Chairman Jim Spinello stated that there were no minutes to approve, since the last scheduled meeting had been cancelled.

3. COMMENTS BY THE CHAIRMAN

Chairman Jim Spinello stated that he had no additional comments for the committee.

4. UPDATE OF NEVADA COMMISSION OF HOMELAND SECURITY BY-LAWS, REVISION 5

Larry Casey gave a brief overview of the By-Laws, Revision 5 and recommended the following changes to the By-Laws:

On page 6 of 8, Article V – Standing Committees, The Nevada Communication Steering Committee.... add: "The Commission will appoint members to the Nevada Communication Steering Committee to address the communications concerns raised by the Commission. The Commission shall consider the Nevada Communications Steering Committee as the advisory body to the Commission regarding communications concerns."

On page 7 of 8, under Section 2: Closed Meetings, delete: "or a committee"

Mr. Casey also recommended that the Commission reinstate the Intelligence Committee to deal with security issues, allowing for closed committee meetings. After discussion with the committee the recommendation was withdrawn.

Mr. Myler stated that the Commission can vote on whether or not the committees can hold closed meetings.

Dr. Carrison stated that due to the confidential nature of the Vulnerability Assessment, there has to be a way to hold closed meetings to ensure confidentiality of these documents.

Mr. Casey read aloud the NRS regarding security issues and closed meetings.

Mr. Hadfield concurred with Dr. Carrison, and motioned to approve and forward to the full Commission the By-Laws as amended.

**5. REVIEW OF THE NEW NEVADA REVISED STATUTES and;
6. PROPOSAL FOR CHANGES TO NEVADA REVISED STATUTES**

Dr. Carrison wanted it stated for the record that he was deeply disappointed with the coordination of the two Senate Bills. SB380 is flawed. There appear to be clerical errors and it is not what the Commission agreed to. It was not the intent of the commission to have some of these items in the "final draft".

Chairman Spinello concurred, and stated that SB380 was only one of 700 Bills addressed by the Legislature including a large number pertaining to Homeland Security. He suggested that the Legislative process is broken. Everything is rushed, and rules need to be imposed.

Dr. Carrison questioned SB380's wording about whether or not the Chairman is able to appoint non-members of the Commission to committees. He suggested that Senator Nolan petition the LCB to get it changed or clarified. Is it "non-members" or "non-voting members of the commission" or both.

Chairman Spinello asked if the Commission could adopt their own interpretation?

Mr. Myler stated that the LCB should be consulted to interpret whether it is "non-voting members" or "non-members".

Dr. Carrison stated that he was concerned about the conflict of interest that could result from having a federal DHS person appointed as a voting member to the Commission. Dr. Carrison stated that he wanted a voluntary commitment from that Commission member that he would not vote on the issues.

Mr. Hadfield recommended deleting that position or replacing it with another member.

Chairman Spinello asked if anyone had been appointed yet?

Dr. Carrison stated that there was a DHS member now in Nevada being housed at the Secret Service Building who would be on the Commission.

Recommendations to the Commission for Items 5 & 6:

1. Dr. Carrison recommended that the Commission develop Bill draft language to request a change to Commission membership and replace the DHS member with someone else or make him an ex-officio member. However, Mr. Carrison also stated that as Chairman of the Commission he can only recommend to the Governor about who should be appointed.
2. Dr. Carrison recommended that the LCB be petitioned to get their intent of whether “non-voting members of the commission” and/or “non-members” of the commission can be appointed to committees. Mr. Hadfield stated that the Chairman should be consulted on any changes.

7. UPDATE ON RECENT OR PENDING AMENDMENTS

Mr. Casey stated that Congressman Gibbon’s Bill streamlined the processes on how money/grants will be given out – based on Vulnerability Assessments. He stated that specifics on this issue would be included in the Finance Committee meeting scheduled for August 17th.

Mr. Spinello commended Congressman Gibbons for his efforts, and gave a brief update on the BRAC Commission activities, emphasizing economic impact.

8. PUBLIC COMMENT

Chairman Spinello asked if there was any public comment. There was none.

9. ADJOURNMENT

Chairman Spinello made a motion to adjourn the meeting. The motion was seconded.

Meeting notes completed by Denise Parsons, for questions call (702) 632-0509 or email deniseparsons@state.nv.us